

REMARKS

This application has been carefully reviewed in light of the Examiner's letter of October 7, 2004.

The claims have been amended extensively, and some canceled as redundant. Specifically, Claim 1 has been amended to include the ring disposed on the nest pad about the opening which receives the gun barrel.

Claim 2 has been amended to indicate that the ring is formed on the nest pad, as distinguished from simply being present thereon.

Claim 3, which is dependent upon Claim 1, has been amended to indicate that the material about the opening collapses with the gun barrel to frictionally engage it when it is in the safety grip in its intended vertically disposed position.

Claims 4 and 7 have been cancelled.

Claims 5, 6, 8 and 11 are in their original form, dependent upon amended Claim 1, which includes the ring.

Claim 9 has been amended to make it dependent on Claim 2, as has Claim 10.

Claim 12 indicates that the cuts of Claim 5 are also in said ring.

The Examiner has previously acknowledged that Claims 2, 7, 9, 10 and aa, all of which recite the ring of Claim 2, are allowable once they have become dependent upon an allowable claim. By adding the ring of Claim 2 in Claim 1, it is

believed that Claim 1 now contains allowable subject matter, and all of the claims now include the ring 57.

Applicant has carefully considered the patent to Mulvihill, Jr., number 5,560,497, upon which the Examiner previously found Claims 1, 3, 4 through 6, 8 and 12, as anticipated under 35 U.S.C. 102(b). It is respectfully submitted that aside from the fact that the Mulvihill patent does not include the ring 57, it is not capable of being used in the field. Rather, it is a gun safety device having a gate latch which mounts the gun barrel downwardly and does not, rather clearly, use the suspension technology which is at the root of Applicant's invention.

Applicant has also carefully considered the patents to Lauve, 5,454,931; Ramsdell, 5,344,032; and Walters, 3,917,071, none of which, as the Examiner correctly states, contain the ring 57, nor any reasonable facsimile thereof.

These patents, as in the case of Mulvihill, are not devices for use in the field, but, rather, gun safety devices, including, as in Walters, a theft prevention device, and neither serve the same purpose as, nor are structurally similar to, that of the Applicant's claimed device.

For the reasons stated, it is respectfully submitted that this application is in condition for allowance, and such action is respectfully requested at the earliest practicable moment.

Dated: November 8, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Haase', with a stylized flourish at the end.

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